

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-36 are pending in the application, with claims 1, 13, and 25 being the independent claims. Claims 1, 13, and 25 are sought to be amended. Support for the amendments to claims 1, 13, and 25 may be found in, for example, paragraph [0054] of the Specification as filed on October 10, 2003. The Specification as filed on October 10, 2003 is sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

With respect to this Application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the references that it was made to allegedly avoid, may need to be revisited. Nor should any previous disclaimer of claim scope, if any, in this Application be read back into any predecessor or related application.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-2 and 25-26

Claims 1-2 and 25-26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application No. 2002/0106029¹ to Bunn et al. (herein "Bunn") in view of U.S. Patent No. 7,085,287 to Chapman (herein "Chapman"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows.

Applicant respectfully submits that the claim 1 as amended is patentable over the art of record. For example, the combination of Bunn and Chapman does not teach nor suggest at least the feature of "creating a new proprietary logical channel when a predetermined number of the other devices support said at least one proprietary communication parameter" as recited by claim 1. Dependent claim 2 is likewise not rendered obvious by the combination of Bunn and Chapman for the same reasons as claim 1 from which it depends and further in view of its own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 1 and 2 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Applicant respectfully submits that the claim 25 as amended is patentable over the art of record. For example, the combination of Bunn and Chapman does not teach nor suggest at least the feature of "means for enabling said processor to create a new proprietary logical channel when a predetermined number of the other devices support said at least one proprietary communication parameter" as recited by claim 25.

¹ U.S. Patent Application No. 2007/00588640 is not prior art for this Application under 35 U.S.C. § 103(c) because it is co-owned by the same assignee as this Application. Instead, the Office Action should have cited U.S. Patent Application No. 2002/0106029.

Dependent claim 26 is likewise not rendered obvious by the combination of Bunn and Chapman for the same reasons as claim 25 from which it depends and further in view of its own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 25 and 26 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 3, 13, and 27

Claims 3, 13, and 27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of U.S. Patent Publication No. 2004/000863 to Cloonan et al. (herein "Cloonan "). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn and Chapman does not teach or suggest each and every feature of independent claims 1 and 25. Cloonan does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Cloonan provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 3 and 27 are likewise not rendered obvious by the combination of Bunn, Chapman, and Cloonan for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 3 and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Applicant respectfully submits that the claim 13 as amended is patentable over the art of record. For example, the combination of Bunn, Chapman, and Cloonan does

not teach nor suggest at least the feature of "a registration module ... to create a new proprietary logical channel when a predetermined number of the other devices support said at least one proprietary communication parameter" as recited by claim 13. Accordingly, Applicant respectfully requests that the rejection of claim 13 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 4 and 28

Claims 4 and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of U.S. Patent No. 7,089,580 to Vogel et al. (herein "Vogel"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn and Chapman does not teach or suggest each and every feature of independent claims 1 and 25. Vogel does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Vogel provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 4 and 28 are likewise not rendered obvious by the combination of Bunn, Chapman, and Vogel for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 4 and 28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 5 and 29

Claims 5 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of U.S. Patent Publication No. 2003/0053493 to Graham Mobley et al. (herein "Graham Mobley"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn and Chapman does not teach or suggest each and every feature of independent claims 1 and 25. Graham Mobley does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Graham Mobley provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 5 and 29 are likewise not rendered obvious by the combination of Bunn, Chapman, and Graham Mobley for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 5 and 29 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 6-8 and 30-32

Claims 6-8 and 30-32 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of U.S. Patent Publication No. 2005/0025145 to Rakib et al. (herein "Rakib"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn and Chapman does not teach or suggest each and every feature of independent claims 1 and 25. Rakib does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Rakib provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 6-8 and 30-32 are likewise not rendered obvious by the combination of Bunn, Chapman, and Rakib for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 6-8 and 30-32 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 9-10 and 33-34

Claims 9-10 and 33-34 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in view of Rakib, and in further view of U.S. Patent Publication No. 2005/0025145 to Limb et al. (herein "Limb"). Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn, Chapman, and Rakib does not teach or suggest each and every feature of independent claims 1 and 25. Limb does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Limb provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 9-10 and 33-34 are likewise not rendered obvious by the

combination of Bunn, Chapman, Rakib, and Limb for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 9-10 and 33-34 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 11-12 and 35-36

Claims 11-12 and 35-36 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of Limb. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claims 1 and 25, the combination of Bunn and Chapman does not teach or suggest each and every feature of independent claims 1 and 25. Limb does not provide the missing teaching or suggestion with respect to claims 1 and 25 nor does the Office Action allege that Limb provides the missing teachings or suggestions with respect to claims 1 and 25 to render claims 1 and 25 obvious. Dependent claims 11-12 and 35-36 are likewise not rendered obvious by the combination of Bunn, Chapman, and Limb for the same reasons as claims 1 and 25, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 11-12 and 35-36 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claim 15

Claim 15 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, in view of Cloonan and in further view of Vogel. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claim 13, the combination of Bunn, Chapman, and Cloonan does not teach or suggest each and every feature of independent claim 13. Vogel does not provide the missing teaching or suggestion with respect to claim 13 nor does the Office Action allege that Vogel provides the missing teachings or suggestions with respect to claim 13 to render claim 13 obvious. Dependent claim 15 is likewise not rendered obvious by the combination of Bunn, Chapman, Cloonan, and Vogel for the same reasons as claim 13, from which it depends, and further in view of its own respective features. Accordingly, Applicant respectfully requests that the rejection of claim 15 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claim 16

Claim 16 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, in view of Cloonan and in further view of Graham Mobley. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claim 13, the combination of Bunn, Chapman, and Cloonan does not teach or suggest each and every feature of independent claim 13. Graham Mobley does not provide the missing teaching or suggestion with

respect to claim 13 nor does the Office Action allege that Graham Mobley provides the missing teachings or suggestions with respect to claim 13 to render claim 13 obvious. Accordingly, the combination of Bunn, Chapman, and Graham Mobley cannot render obvious claim 13. Dependent claim 16 is likewise not rendered obvious by the combination of Bunn, Chapman, Cloonan, and Graham Mobley for the same reasons as claim 13, from which it depends, and further in view of its own respective features. Accordingly, Applicant respectfully requests that the rejection of claim 16 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 17 and 23

Claims 17 and 23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, and in further view of Cloonan. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claim 13, the combination of Bunn, Chapman, and Cloonan does not teach or suggest each and every feature of independent claim 13. Dependent claims 17 and 23 are likewise not rendered obvious by the combination of Bunn, Chapman, and Cloonan for the same reasons as claim 13, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 17 and 23 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 18-20

Claims 18-20 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, in view of Cloonan and in further view of Rakib. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claim 13, the combination of Bunn, Chapman, and Cloonan does not teach or suggest each and every feature of independent claim 13. Rakib does not provide the missing teaching or suggestion with respect to claim 13 nor does the Office Action allege that Rakib provides the missing teachings or suggestions with respect to claim 13 to render claim 13 obvious. Dependent claims 18-20 are likewise not rendered obvious by the combination of Bunn, Chapman, Cloonan, and Rakib for the same reasons as claim 13, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 18-20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 21, 22, and 24

Claims 21, 22, and 24 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bunn, in view of Chapman, in view of Cloonan, in view of Rakib, and in further view of Limb. Applicant respectfully traverses the rejection and provides the following arguments to support patentability as follows:

For reasons discussed above in regards to claim 13, the combination of Bunn, Chapman, Cloonan, Rakib, and does not teach or suggest each and every feature of independent claim 13. Limb does not provide the missing teaching or suggestion with

respect to claim 13 nor does the Office Action allege that Limb provides the missing teachings or suggestions with respect to claim 13 to render claim 13 obvious. Dependent claims 21, 22, and 24 are likewise not rendered obvious by the combination of Bunn, Chapman, Cloonan, Rakib, and Limb for the same reasons as claim 13, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 21, 22, and 24 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Date: 10/20/08

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